

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DALE LAWRENCE ROMIG,

Plaintiff,

14cv0386

ELECTRONICALLY FILED

v.

COMCAST CABLE,

Defendant.

ORDER OF COURT RE: PLAINTIFF'S COMPLAINT (DOC. NO. 1)

Presently before this Court is *pro se* Plaintiff's Complaint. Doc. No. 1.¹ Plaintiff has paid the mandatory filing fee. Doc. No. 1-2. Plaintiff names Comcast Cable as the Defendant. Id. His sole allegations are as follows:

In late January 2013, I requested Comcast to block all the pornography on my cable box. On 02/01/2013, a Comcast service technician came to my house to make some adjustments. When he left he said all the pornography channels had been blocked permanently. Something went wrong with his adjustments. The blocked channels remained blocked only for 24 hours. I suspect this negligence was intentional. Doc. No. 1, ¶ 3.

Plaintiff demands "\$500,000,000.00" as relief. Doc. No. 1.

As pled, Plaintiff's Complaint details a customer service dispute. The Court does not have jurisdiction over such matters. Federal Courts require notice pleading, as opposed to the heightened standard of fact pleading. Fed. R. Civ. P. 8(a)(2) requires only "'a short and plain statement of the claim showing that the pleader is entitled to relief,' in order to 'give the defendant fair notice of what the . . . claim is and the grounds on which it rests.'" *Bell Atlantic*

¹ Plaintiff previously filed a civil suit against Beaver County Government (09-cv-01105) and various law enforcement personnel. The case was terminated after Plaintiff filed a Motion to Withdraw. See Doc. No. 10 and 11/10/2009 Text Order. On January 14, 2014, Plaintiff filed suit against "Beaver County, PA." 14-cv-00053. Service is due by May 14, 2014.

Corp. v. Twombly, 550 U.S. 554, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)).

As currently pled, Plaintiff's factual averments are not sufficient to advance a federal claim.

A District Court may dismiss a paid complaint *sua sponte* when appropriate under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted. See *Schneller ex rel Schneller v. Fox Subacute at Clara Burke*, 317 Fed. Appx. 135, 138 (3d Cir. 2008), *Roman v. Jeffes*, 904 F.2d 192, 196 & n.8 (3d Cir. 1990).

AND NOW, this 26th day of March, 2014, IT IS HEREBY ORDERED THAT Plaintiff may file an amended complaint on or before April 14, 2014. Said Complaint will be screened by the Court for compliance with Federal Rule of Civil Procedure 12(b)(6).

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

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